

action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their mailed comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 2002-SW-41-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the

Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2003-02-05 Eurocopter France:

Amendment 39-13021. Docket No. 2002-SW-41-AD.

Applicability: Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350C, AS350D, AS350D1, AS355E, AS355F, AS355F1, AS355F2, and AS355N helicopters, with sliding door middle rail (middle rail) left upper, part number (P/N) 350A21-1027-36, left lower, P/N 350A21-1027-20, right upper, P/N 350A21-1027-39, right lower, P/N 350A21-1027-21, sliding door roller (roller), P/N 350A25-1274-24, and plate support, P/N 350A21-1335-20, installed, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required before further flight, unless accomplished previously, then at intervals not to exceed 100 hours time-in-service (TIS).

To prevent the roller from coming out of the middle rail when operating the door, which could lead to the sliding door separating from the helicopter during flight, damage to critical flight components, and subsequent loss of control of the helicopter, accomplish the following:

(a) Measure the diameter of the roller and the dimensions of the front end opening of the middle rail in accordance with the Accomplishment Instructions, paragraph 2.B., of Eurocopter Alert Telex No. 05.00.41, applicable to Model AS350 helicopters, and Eurocopter Alert Telex No. 05.00.39, applicable to Model AS355 helicopters, both dated May 16, 2002 (Alert Telexes).

(1) If the rail opening or roller diameter is beyond the permissible limits stated in the Accomplishment Instructions, paragraph

2.B.1., of the Alert Telexes, make a placard that states "DO NOT OPERATE DOOR IN FLIGHT" and attach it to the inside of the sliding door. The lettering on the placard must be at least 1/4-inch tall and obvious to the crew.

(2) If the sliding door is placarded to prohibit door operation during flight, it is not necessary to measure the roller or rail.

Note 2: Replacing the worn parts does not terminate the requirement to make the measurements required by paragraph (a) of this AD at intervals not to exceed 100 hours TIS.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(c) Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished, so long as the cabin door is not operated during the flight.

(d) The measuring shall be done in accordance with Eurocopter Alert Telex No. 05.00.41, applicable to Model AS350 helicopters, and Eurocopter Alert Telex No. 05.00.39, applicable to Model AS355 helicopters, both dated May 16, 2002. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on February 10, 2003.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD No. 2002-344-093(A), applicable to Model AS350 helicopters, and AD No. 2002-345-070(A), applicable to Model AS355 helicopters, both dated June 26, 2002.

Issued in Fort Worth, Texas, on January 11, 2003.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

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